

IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

FILED

SEP 03 2008

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
GRIFFITH C. MILLER, M.D., )  
 )  
LICENSE NO. 7796 )  
 )  
Defendant. )

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 06-12-3221

**AMENDED ORDER OF EMERGENCY SUSPENSION**

On the 22nd day of August, 2008, the Plaintiff's application for emergency suspension of Defendant, Griffith C. Miller, M.D., Oklahoma Medical License No. 7796 came on for hearing before the Secretary of the Oklahoma State Board of Medical Licensure and Supervision (the "Board"). Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision. Defendant appeared in person and through counsel, Daniel Gamino.

The Secretary, after hearing arguments of counsel, reviewing exhibits admitted and testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following findings of fact and conclusions of law and orders:

1. Defendant, Griffith C. Miller, M.D., is licensed as a physician and surgeon in the State of Oklahoma and holds Oklahoma Medical License No. 7796.
2. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 O.S. §480 et seq. The Board has jurisdiction over these proceedings, and notice has been given in accordance with law.
3. The evidence reflects that Defendant cannot practice medicine with a reasonable degree of safety, competency and skill sufficient to protect the public health, safety and welfare based upon the following facts:

A. A review of the Oklahoma Prescription Monitoring Program ("PMP") reflects that from July 26, 2007 through May 22, 2008, Defendant wrote or authorized fifteen (15) prescriptions for Xanax 2 mg. to Patient JFD for 1,350 dosage units. He additionally wrote or authorized thirty-two (32) prescriptions for Ambien, Hydrocodone, Carisoprodol, Histinex, Lonox and Phentermine to this patient.

B. A review of Defendant's medical chart on Patient JFD reflects no dates, vital signs or a diagnosis to support the prescriptions to the patient.

C. Defendant has admitted to Board investigators that over the past two (2) years, he has taken one (1) to two (2) Xanax per week that was not prescribed to him. He admits that he prescribed Xanax to his ex-wife, Patient JFD, who then gave the medications back to him. Defendant additionally admitted that he had also been taking Ambien, which he had prescribed to Patient JFD, who gave some of it back to Defendant for his personal use.

D. In 2005, during the course of an investigation, Defendant was personally advised by Board Investigators Steve Washbourne and Mike Kiser that he could not write prescriptions for controlled dangerous substances to his children. The Board had received information that Defendant was prescribing controlled dangerous substances to his daughter. At that time, Defendant acknowledged that he understood the law and would not write prescriptions for controlled dangerous substances to his children any longer.

E. A review of the PMP reflects that from July 10, 2007 until July 24, 2008, Defendant wrote or authorized fifty-eight (58) prescriptions for controlled dangerous substances to his son, Patient CMD. Medications prescribed include Xanax, Hydrocodone, Ambien, Carisoprodol and Histinex.

4. Defendant's medical license is hereby suspended pending a full hearing on the Complaint before the Board *en banc* at the next regularly scheduled meeting, currently scheduled for November 6, 2008.

5. All of the charges in the Complaint against Defendant will be heard before the Board *en banc* at its next regularly scheduled meeting.

6. The emergency suspension shall be reported to the National Practitioner Data Bank and all other appropriate groups.

7. Defendant will surrender his Oklahoma wallet card and certificate of medical license to the Board on or before 4:30 p.m. on August 29, 2008.

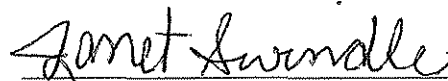


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GERALD C. ZUMWALT, M.D.  
Secretary/Medical Advisor  
Oklahoma State Board of Medical  
Licensure and Supervision

**CERTIFICATE OF SERVICE**

I certify that on the 3 day of Sept, 2008, I mailed a true and correct copy of the Amended Order of Emergency Suspension to Daniel Gamino, 3315 N.W. 63<sup>rd</sup> Street, Oklahoma City, OK 73116 and to Griffith Miller, 2227 W. Lindsey, #1403, Norman, OK 73069.



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Janet Swindle